

REMARKS

Claims 1-22, 24 and 25 are now pending in the application. Claim 23 was canceled without prejudice. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claim 2 was amended to correct an informality, as suggested by the Examiner. Misnumbered claims 13-26 have been re-numbered as 12-25, and their claim dependence amended accordingly, as suggested by the Examiner.

REJECTION UNDER 35 U.S.C. § 102

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Wixon et al (U.S. Pat. No. 5,624,444). This rejection is respectfully traversed.

Regarding amended claim 1, Wixon et al fails to disclose, inter alia, a block having a rod extending in the medial-lateral direction, and a body slidably mounted on the rod, wherein the rod passes through an aperture of the body. Accordingly, claim 1 is not anticipated by Wixon et al. Claim 2 depends from claim 1, and, at least for this reason, is not anticipated by Wixon et al. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 17-22 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by D'Antonio (U.S. Pat. No. 5,810,831). This rejection is respectfully traversed.

Regarding amended claim 17, D'Antonio fails to disclose, inter alia, a block having an upper portion supporting a rod and a lower portion having a base, and a body slidably mounted on the base and on the rod for movement relative to the block in a medial-lateral direction. Accordingly, claim 17 is not anticipated by D'Antonio. Claims 18-20 ultimately depend from claim 17, and, at least for this reason, are not anticipated by D'Antonio.

Claim 21 was amended to include all the elements of claim 23, which was found to be allowable. Claim 23 was canceled without prejudice. Claims 22 and 24 depend from claim 21, and should also be in condition for allowance. Reconsideration and withdrawal of this rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wixon et al (U.S. Pat. No. 5,624,444) in view of Eng et al (U.S. Pat. No. 6,056,756). This rejection is respectfully traversed.

Even assuming, without conceding, that Wixon et al and Eng et al are combinable, the combination does not provide all the elements of amended claim 3. Claim 3 depends from claim 1, which, as discussed above, is not anticipated by Wixon et al. Further, Eng et al fails to disclose, inter alia, a body slidably mounted on a rod extending in the medial-lateral direction as claim 1 recites. Further, neither Wixon et al nor Eng et al discloses a block that includes a U-shaped member supporting the rod. Therefore, claim 3 is patentable over Wixon et al in view of Eng et al. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 4, 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wixon et al in view of D'Antonio (U.S. Pat. No. 5,810,831). This rejection is respectfully traversed.

Even assuming, without conceding, that Wixon et al and D'Antonio are combinable, the combination does not provide all the elements of claims 4, 9 and 10. Claims 4, 9 and 10 ultimately depend from claim 1, which, as discussed above, is not anticipated by Wixon et al. D'Antonio fails to disclose, inter alia, a body slidably mounted on a rod extending in the medial-lateral direction as claim 1 recites. At least for this reason, claims 4, 9 and 10 are patentable over Wixon et al in view of D'Antonio. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 5-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wixon et al in view of Burkinshaw et al (U.S. Pat. No. 6,290,704). This rejection is respectfully traversed.

Even assuming, without conceding, that Wixon et al and Burkinshaw et al are combinable, the combination does not provide all the elements of claims 5-8. Claims 5-8 ultimately depend from claim 1, which, as discussed above, is not anticipated by Wixon et al. Burkinshaw et al fails to disclose, inter alia, a body slidably mounted on a rod extending in the medial-lateral direction as claim 1 recites. At least for this reason, claims 5-8 are patentable over Wixon et al in view of Burkinshaw et al. Reconsideration and withdrawal of this rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

Claims 11-16 and 25 were allowed. The Examiner states that claim 23 would be allowable if rewritten in independent form. Applicants amended claim 21 to include the

limitations of claim 23, and canceled claim 23. Accordingly, claim 21 and claims 22 and 24 that depend from claim 21 should be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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